

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

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| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | CR. NO. 2:21-CR-49-MHT-JTA |
| |) | |
| WILLIAM L. HOLLADAY, III, et al. |) | |

**MOTION TO MODIFY THE COURT'S STANDING ORDER ON CRIMINAL
DISCOVERY**

Comes now the United States of America, by and through Louis V. Franklin, Sr., United States Attorney for the Middle District of Alabama, and files this motion requesting that the Court, in this case, modify the standing order on criminal discovery. See Cr. Misc. #534.

The standing order provides that, “[a]t arraignment, or on a date otherwise set by the court for good cause shown, the government shall tender to the defendant” designated categories of discovery materials. See id.

Good cause exists in this case for the following reasons. First, the discovery materials in this case include: (1) educational records of third-party minor victims of the offenses, some of which may be protected by the Family Educational Rights and Privacy Act, see 20 U.S.C. § 1232g(b); (2) documents containing the personal identifying information of third-parties, some of whom are victims; (3) financial records pertaining to the defendants and to third-parties; and (4) confidential governmental records of the state of Alabama. Given that the sensitive nature of the discovery materials, contemporaneous with the filing of this motion, the government is filing a motion for a protective order. The government does not intend to disclose the discovery materials until the Court rules on its request for a protective order. The government anticipates that this might take some time, as the defendants have not yet had an opportunity to state their respective positions on the government’s request.

Second, the discovery materials will contain documents that are currently sealed by order of this Court and by order of the United States District Court for the Northern District of Alabama. The government is currently seeking to unseal all sealed documents—both in this Court and in the other district court. However, the government will not produce discovery until all of the relevant documents have been unsealed.

For these reasons, the government asks that the Court modify the standing order on discovery and order that the government produce discovery within 7 days of the date on which the Court rules on the final discovery-related motion or not later than 21 days after the arraignment. The government will act diligently and attempt to provide the discovery materials as soon as possible.

The defendants' positions on this request are unknown.

Respectfully submitted this 23rd day of February, 2021.

LOUIS V. FRANKLIN, SR.
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on February 23, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

Respectfully submitted,

/s/ Jonathan S. Ross

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